

### **REMARKS**

These remarks are responsive to the non-final Office Action mailed December 7, 2010 ("Action"). Reconsideration of the rejections and allowance of the claims are respectfully requested for at least the following reasons.

#### **Claim Rejections Under 35 U.S.C. § 101**

Claims 17 and 22-32 stand rejected under 35 U.S.C. § 101 because the claimed invention is allegedly directed to non-statutory subject matter. Applicants respectfully traverse. Claims 17 and 22-32 have been amended to recite a memory. Support for this amendment may be found at least in paragraph 58 of the published application. *See* US 2005/0010953. Applicants respectfully submit that the amended claims are statutory, and request withdrawal of the rejection under 35 U.S.C. § 101.

#### **Claim Rejections Under 35 U.S.C. § 103**

Claims 1, 6-8, 10, 12, 13, 15, 17, 22-24, 26, 28, 29, 31, 33, 38-40, 42, 44, 45, 48, 49 and 51-53 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Shiels et al. (US 5,751,953) in view of Turner (US 2003/0009485).

Claims 9, 11, 16, 25, 27, 32, 41, 43, 47 and 50 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Shiels and Turner, in further view of Begeja et al. (US 2003/0030752).

Claims 14, 30 and 46 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Shields, Turner, and Begeja, in further view of Mitchell (US 2002/0162120).

Applicants respectfully traverse.

#### **A. Comments on Claim 1 and its Dependent Claims**

Claim 1 has been amended to include similar features to the ones previously recited in claim 9, and is now drawn to a method comprising:

“ causing, by a processor, presentation of a composite video clip sequence . . . , and

wherein the causing presentation of the composite video clip sequence comprises initiating a first session to stream a first of the component video clips and a new session for each subsequent one of the component video clips, wherein each of the new sessions is initiated prior to completion of presentation of a preceding one of the component video clips.”

Support for these amendments may be found at least in paragraph 34 of the published application.

Previous claim 9 was rejected over the combination of Shiels, Turner, and Begeja. In the rejection, the Action concedes:

However, Shiels combined with Turner does not explicitly teach presenting the composite video clip sequence includes initiating a new session for a component video clip prior to completion of presentation of a previous component video clip.

*See* Action, p. 9. Applicants submit that amended claim 1 defines over Shiels and Turner for analogous reasons. The Action also alleges Begeja remedies the deficiency in the Shiels/Turner combination. *Id.* Applicants respectfully disagree.

Begeja does not disclose or suggest initiating a first session and a new session for each subsequent one of the component video clips, wherein each of the new sessions is initiated prior to completion of presentation of a preceding one of the component video clips. Begeja relates to a system where a user may search for clips and a video server may “stitch” the clips together for streaming the clips to a user. *See* Begeja, ¶25, 45, and 55. The Action cites to paragraph 86 of Begeja in the rejection of previous claim 9. In paragraph 86, Begeja indicates that conventional media streaming has a certain amount of wait time where a user waits for a media stream to begin playing after requesting a media stream. Rather than displaying a blank screen, Begeja’s system presents information that was “previously obtained and stored locally,” for instance, “during an off-time (such as late at night)” while waiting for the stream to begin playing. *Id.* at ¶86. Begeja indicates that the “information can be made available on the user’s local hard drive, and can therefore be played immediately upon selection of a particular media stream.” *Id.*

Begeja, however, does not indicate initiating a stream for each clip that has been stitched together in Begeja’s media stream. Instead, paragraph 86 of Begeja only indicates that a single media stream is initiated to communicate the “stitched” together clips. The “previously obtained” information described in paragraph 86 of Begeja is not part of the media stream. Moreover, Begeja does not disclose initiating a new stream for each of the clips that have been “stitched” together prior to completion of presentation of a previous one of the “stitched” together clips, and hence is not analogous to the claim features. Amended claim 1, therefore, defines over Begeja even when combined with Shiels and/or Turner. Further, the Action has not presented a reasoned basis to support the conclusion of obviousness for combining Shiels,

Turner, and Begeja, and at least improperly relies on hindsight analysis to support the rejection. Lastly, the Action cited Mitchell in the rejection of claims 14, 30 and 46 for purportedly disclosing transmitting metadata using URLs (*see* Action, p. 10), and, even if true, would not remedy the deficiency in the Shiels, Turner, and Begeja combination.

Applicants therefore submit that amended claim 1 is distinguishable from the combination of Shiels, Turner, and Begeja, and respectfully request withdrawal of the rejection under 35 U.S.C. § 103. Applicants further solicit notification that claim 1 contains allowable subject matter.

The pending claims that depend on claim 1 are allowable at least due to dependence on an allowable claim, and further in view of the additional features recited therein.

B. Comments on claims 17, 33, and 48, as well as their respective dependent claims

Independent claims 17, 33, and 48 are allowable at least due to reasons analogous to those given in support of claim 1.

The pending claims that depend on claims 17, 33, and 48 are allowable at least due to dependence on an allowable claim, and further in view of the additional features recited therein.

C. Comments on Claims 9, 25, 41, and 50

Amended claim 9 depends on claim 1 and further recites

“ processing a request to fast forward or rewind a current one of the component video clips being presented;  
identifying a clip boundary during fast forwarding or rewinding of the current component video clip; and  
in response to the identifying, stopping presentation of the current component video clip and beginning presentation of a next one of the component video clips in the composite video clip sequence.”

Support for these amendments may be found at least in paragraph 34 of the published application. *See* US 2005/0010953. These amendments further define over the combination of Shiels, Turner, and Begeja. None of Shiels, Turner, and Begeja use the terms “fast forwarding” or “rewinding,” and hence Applicants submit that amended claim 9 distinguishes these references. As noted above, the Action merely cited Mitchell for purportedly disclosing transmitting metadata using URLs (*see* Action, p. 10), and, even if true, would not remedy the deficiency in the Shiels, Turner, and Begeja combination. Applicants therefore submit that amended claim 9 distinguishes the cited references and request withdrawal of the rejection under

35 U.S.C. § 103. Applicants further solicit notification that claim 9 contains allowable subject matter.

Applicants further submit the claims 25, 41, and 50 contain allowable subject matter for reasons analogous to those given in support of claim 9.

### **CONCLUSION**

Applicants respectfully submit that the pending claims are in condition for allowance. Favorable reconsideration of this application is respectfully requested. The Examiner is invited to contact the undersigned should it be deemed necessary to facilitate prosecution of the application.

Respectfully submitted,  
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Date: April 7, 2011

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